

I-69 Evansville to Indianapolis Tier 2 Studies

I-69 Evansville to Indianapolis: Tier 2 Studies
Section 4,
Consulting Party Meeting
3802 Industrial Boulevard, Ste. 2
Bloomington, Indiana 47403
December 17, 2009, 4:00 pm

Attendees:

Jan Boyd

Sandra Tokarski, Citizens for Appropriate Rural Roads (CARR)

Cheryl Ann Munson, Monroe County Historic Preservation Board of Review

Steve Wyatt, Bloomington Restorations, Inc.

Nancy Hiestand, Bloomington Restorations, Inc.

Polly Spiegel

Bill Boyd

John Carr, Indiana Department of Natural Resources (IDNR)/Office of the State Historic Preservation Officer (SHPO)

Janice Osadczuk, Federal Highway Administration (FHWA)

Patrick Carpenter, Indiana Department of Transportation (INDOT), OES Cultural Resources Section (CRS)

Michelle Allen, INDOT, OES

Staffan Peterson, INDOT, CRS

Jason Stone, DLZ Indiana, LLC (DLZ)

Gary Fisk, DLZ

Linda Weintraut, Weintraut & Associates, Inc. (W&A)

Alice Roberts, Gray & Pape, Inc.

Don Cochran, Gray & Pape, Inc.

Kia Gillette, Bernardin, Lochmueller & Associates, Inc. (BLA)

Jason DuPont, BLA

Kristen Getzin, W&A

Bethany Natali, W&A

Tom Molt, DLZ, I69 Section 4 Project Office

Janice Osadczuk (FHWA) opened the meeting and invited attendees to introduce themselves. Osadczuk then gave a brief description of the Section 106 process of the National Historic Preservation Act (NHPA), noting the act requires a consultation process for any federal undertaking. The purpose of the meeting, Osadczuk explained, was to review where we have come thus far and where we are going.

Osadczuk then turned the meeting over to Linda Weintraut (W&A), who spoke about the findings in the 2006 Historic Property Report and 2007 Determination of Effects document. Weintraut then discussed the Additional Information study and the scope of work, noting the date for new properties surveyed was extended to 1967, in an effort to be proactive and for practical reasons, because consultants had aerial and topographical maps from the period which allowed a baseline to determine when properties were constructed. Weintraut noted changes to the status of properties from the 2006 report: 1) the demolition of two eligible properties in the 2006 report, the

John May-Ada Wilson (105-115-45062) house burned in 2007 and the Philip Murphy-Jonas May (105-115-40051) house was destroyed by 2009 and 2) two bridges recommended ineligible based on 2004 standards are now determined eligible per the Indiana Historic Bridge Inventory, Greene County Bridge 311 (055-607-45041) and Monroe County Bridge 83 (105-115-35064).

Gary Fisk (DLZ) discussed changes to alternatives since the last meeting, including two different design options. Jason Stone (DLZ) talked about effects on historic properties, noting visual and auditory affects were assessed based on the closest alternative or the one that would have the most impact. Stone then showed maps depicting alternatives and potential visual effects. Stone noted that engineers used the threshold determined by FHWA for adverse effects relating to highway noise. Osadczuk stated that traffic noise impacts occur when the predicted traffic noise levels approach or exceed the noise abatement crigeria or the predicted traffic noise levels substantially exceed the existing noise levels – this includes historic properties.

Stone discussed effects findings for the previously identified properties and the newly identified properties in the Additional Information Historic Property Report. Tom Molt (DLZ) noted that Greene County Bridge 311 (055-607-45041) was recently closed because structural members of the bridge had collapsed.

Cheryl Ann Munson (Monroe County Historic Preservation Board) asked if a ramp was a possibility in the location of the highway near the Stipp-Bender property (105-115-35055). Stone said a ramp was a possibility, but could also be deferred and constructed at a later date, as a cost-saving measure. Munson then asked if the ramp would connect northbound 37 to southbound 69. Stone said the ramp is part of the build alternative. Munson asked if wooded tracts near the Head (AD 10) or Stipp-Bender properties were going to be property acquisitions. From right-of-way lines, Osadczuk said it did not look like right-of-way was acquired on either NR-eligible property.

Weintraut then turned the PowerPoint presentation over to Alice Roberts to discuss archaeology. Roberts said that overall, about seventy-five to eighty percent of Phase Ia Archaeology was complete. Roberts described the Phase Ia methodology in detail. Roberts noted the archaeologists conducted Phase Ia for the larger study corridor in the vicinity of Virginia Iron Works to address concerns raised at earlier consulting party meetings and ensure that any possible associated features were identified. Archaeologists identified ten sites through the VIW corridor survey, none of which appear to be associated with the former ironworks. Phase Ia archaeological survey of the APE to date has documented forty-seven archaeological sites, three of which have been recommended for additional research. Additionally, Roberts informed the group that Phase Ia archaeological investigations will be completed once all subsections of the preferred alternative are identified.

Weintraut concluded the powerpoint presentation by asking that comments be submitted to W & A (P.O. 5034, Zionsville, Indiana 46077) and then opened the floor for questions/discussion.

Jan Boyd asked when comments needed to be submitted and if they could be submitted to the section office. Osadczuk said it would be fine to submit comments to the section office and extended the due date for comments from December 30, 2009 to January 17, 2010 because of the holidays. Osadczuk then asked if there would be some way to put the PowerPoint presentation on the website. Jason DuPont (BLA) said he thought that would be possible.

Jan Boyd asked about the "Demolished by 2009" property at 4791 South Rockport (105-115-40052). Property is shown as being demolished, but when she went by and checked, it was still extant. Boyd added that the

photograph in the property table is not of the property. [Note that the information in the property table regarding this property states: "Historians could not find a property that matched the description and address, so we believe it has been demolished after the 2004 survey." The property in question was referred to as a double-pen in the 2004 survey.] Weintraut thanked Boyd and said that W&A would investigate further. Munson wondered why consultants did not check with the Monroe County Planning Office. Weintraut said historians did review the website and GIS for information about construction and ownership for many properties.

Jan Boyd asked about the eligibility of Clifty Church (055-324-50008) in light of new doors. Weintraut noted that W&A did not make significant additional comments to information prepared by CCRG and added that Clifty Church is still eligible for historical significance even with that change.

Steve Wyatt (Bloomington Restorations, Inc.) asked about auditory and visual effects on the Koontz house, noting the property is pretty close to the alternative. Wyatt said he wondered why it was not affected. Stone said the closest proposed alternative is in a cut, would cross Harmony Road about 1,000 feet away, and would be masked by topography. Osadczuk asked if figures showing the alternatives could be placed on the website. DuPont said they could be.

Sandra Tokarski (CARR) asked for an explanation of a noise impact. She noted that she had submitted comments in the past regarding the Clifty Church (055-324-50008) and wondered how this undertaking would not have an impact on it. Osadczuk explained FHWA has a national noise model that is upgraded every few years; building information is put into the model in reference to distance and elevation. Researchers also take an ambient reading of the noise measurement at a given site. The model response has to match within an acceptable level of deviation of the measurements taken on the site to ensure accuracy. Noise impacts are based on INDOT policy derived from national criteria. Tokarski then asked about the actual thresholds if someone were standing at I-465 during rush hour. Osadczuk said according to national noise criteria, 67 dBA is the threshold for an impact to a residence or a 15 dBA increase over ambient readings. In response to Tokarski's question regarding noise levels on I-465, DuPont stated that noise levels at I-465 at rush hour would likely exceed the noise impact threshold. As a person moved 600 or 700 feet away, the level would decrease.

Tokarski questioned why consultants do not say noise will reduce the quality of the area. Osadczuk said consultants must go by the regulations and established criteria in assessing impacts.

Nancy Hiestand (Monroe County Historic Preservation Board) asked if reduced right-of-way and medians in the low-cost alternative would reduce the adaptability of the roads for other uses (other than by passenger cars and trucks) in the future. Osadczuk said that neither alternative has been approved by FHWA. Low-cost options have a sixty foot median while the initial options have an eighty foot median, a difference of twenty. Most previous interstates were built with a sixty foot median in Indiana.

Munson asked when the archaeological report would be available for review by professionals. As a qualified professional archaeologist Munson will be allowed to review the reports when they are available after SHPO review. DuPont said the report would be available in the spring unless they received other direction from INDOT. Munson noted that she has carried out archaeology surveys over the years and that consultants would likely be interested to hear from her. Roberts said a copy of the report minus the maps would be distributed on disc to consulting parties.

William Boyd asked if they could look at the noise model from Tier 1. Osadczuk said the most current model was used for the assessment. He questioned the difference between ambient levels and "worst-case" levels. He also asked if the model takes into account undeveloped land and planned development that will occur as a result of the undertaking, noting Westgate is planned based on the project. Osadczuk said the model uses the existing land and anything platted; anything else is speculative.

Jan Boyd asked about cemeteries. She noted three cemeteries in the 2,000 foot corridor from the 2006 maps but she understood that the project was avoiding cemeteries. Stone said the actual highway would avoid the three cemeteries [A map of the project area and the cemeteries referenced appear on page ninety-one of the Additional Information Report. The cemeteries are Cooper (055-324-50020), Ashcraft (055-324-50026), and Shoptaw (055-324-50025).] Roberts said cemeteries have been carefully considered since the beginning of the project but she would confirm the cemeteries Boyd mentioned. Stone said the project would avoid those cemeteries. Access to cemeteries would be maintained for those cemeteries that presently have access.

Hiestand asked about Stipp-Bender farm (105-115-35055), noting it appears to be one of the most important resources and closest to the alternative. Hiestand asked if the property would be close to an interchange. Weintraut said the property was close to improvements for SR 37; Stone confirmed this and noted that predicted noise levels do not exceed the thresholds and there is limited visibility to the undertaking.

Jan Boyd asked if consultants surveyed properties in the overlap for Sections 4 and 5. She said Monroe County, 30055 is talked about as being in the overlap between Sections 4 and 5, but she could not find it in the Additional Information Report. Weintraut said W&A would double check the data. [In a review of the original Section 4 HPR and maps, historians found that 30055 is not located in the APE. The 30000 range of site numbers, as identified in the Monroe County: Interim Report, are for another area entirely.]

Jan Boyd then noted she had asked numerous times regarding the Flynn and White properties. Weintraut said the properties were surveyed in 2004; Bruce Hudson had written to the property owners regarding this. Since the properties were not considered Contributing, they were not included in the 2006 report. Identification numbers were only assigned to Contributing properties. Boyd said that Mrs. Flynn's property had not been surveyed. Weintraut said that she had previously checked: the property had been surveyed but not included in the 2006 report

William Boyd questioned the visual effect on the Scotland Hotel (055-576-56002; NR, 1993), Blackmore Store (055-576-56001), and Scotland itself. Boyd said the project will destroy the historic nature of that community and would submit the same as a comment. Stone said that in 2007, they identified limited visual impact; the same was identified in 2009. Gary Fisk noted the maps showing the cross sections for each listed or eligible property demonstrate sight lines.

Munson said the Monroe County Preservation Board of Review has written annually regarding I-69. At one meeting, she heard that I-69 would carry out detailed historic site surveys and share the information with the county, but that the county has not received any information. She would like to know when that will be available. Weintraut said W&A holds the survey cards for the properties until the environmental study is complete. After that the cards will be turned over the DHPA and be available to the public. Surveys per the stipulations in the Tier 1 MOA will then be initiated. Munson said the Monroe County Preservation Board is attempting to incorporate original survey properties into GIS. The Board is focusing on virtual tours, educational

usages, and was interested to read about the planned audio tour. Munson said she is interested in data because the Board needs to update the survey. Munson said consulting parties want to be partners and would like to be consulted. Osadczuk said that if asked, someone from FHWA would attend a meeting. Staffan Peterson (INDOT) asked Munson to direct correspondence directly to INDOT and carbon copy (cc) FHWA and Linda Weintraut.

Munson indicated that the main point of concern expressed in 2007 was that the Board disagreed with consultants' determination that certain Notable or Outstanding properties were not eligible. Four board members took driving tour of the properties from the 2009 report and in doing so passed by some of the properties not included in the previous survey. Weintraut noted that W&A conducted a reconnaissance of the properties rated in 2004. Few properties warranted a change; one house on Koontz Road was changed from Contributing to Notable, based on consultation with the Chief of Registration & Survey. DuPont said consultants considered the letter from 2007.

Hiestand noted some properties were reclassified in 2004 from Notable or Outstanding to Contributing. Weintraut said when the Section 4 historians conducted a site survey in 2004, they conducted sufficient research to determine if a property was eligible. Therefore, all properties in the 2006 report were classified as either Contributing or NR-eligible. John Carr (IDNR/SHPO) clarified: the DHPA does not change the rating in the interim report. Hiestand asked if classifications were for the purposes of the study. Weintraut said yes.

Munson asked if Outstanding and Notable properties in the area have been determined no longer potentially eligible. Carr said something has to be at least significant enough to merit a Contributing rating, for the purpose of a Section 106 review. Survey ratings are a system designed to give relative significance. Munson said in previous reports no explanation was given as to why some Notable and Outstanding properties were not considered eligible.

Weintraut said the Historic Property Report from 2006 did include a "Selected Ineligible" section that discussed properties with good integrity. Carr said before surveys were done, study team and SHPO conferred regarding properties that were "close calls." Munson said there were four properties that members of the Board questioned. Weintraut asked for information regarding those properties.

Jan Boyd asked about Scotland being made a historic district. Weintraut said it was recommended as a historic district in the Draft Historic Property Report, but upon consultation with SHPO, there was not a favorable contributing versus non-contributing ratio to merit a district. Jan Boyd said Scotland was over sixteen blocks but in 2006 report, Scotland is referred to as six blocks. Boyd asked if the district only had six blocks, could it be an historic district? [Boyd referred to page 66 and 67 of the 2006 HPR regarding nineteenth-century Scotland: "By 1879, the town of Scotland had expanded to cover all or parts of six town blocks, and was recorded as a 'thriving trading center with wealthy land, prosperous stock owners, and lavishly equipped shops and stores."] Carr said he himself had made a site visit and felt that significant properties were too scattered to make the area an eligible district.

Bill Boyd asked the date for publishing of the errata sheet. Weintraut said the errata would be published along with the 800.11 documentation. DuPont said that would take place in the spring.

Tokarski said that regarding the FEIS for Section 3, a number of appendices would not open on her computer. Weintraut suggested she contact that project office. Osadczuk said she should be able to access that information on the website.

Tokarski had another comment that she also commented on in Section 3 regarding audio tapes. Tokarski said audio tapes are not a good mitigation tool. Tokarsksi said people who are driving through at eighty mph are not going to be interested in taking an audio tour.

Jan Boyd had a comment for the Section office: on March 8 and 9 she sent four letters to the Section 3 and 4 offices commenting on Section 106 and had not received a response. After looking at her notes, she said actually the dates were either March 16 or March 18. Boyd then said Tom Molt had told her they had received the letters and were working on responding and that she should get responses immediately, but now it is December and she has not gotten any response. Osadczuk said Jan Boyd's letters need to be addressed.

Bill Boyd asked if an MOA was anticipated for Section 4 and if so, when would a draft be available. Weintraut said there would only be an MOA if there was an adverse effect. Osadczuk said if there was an adverse effect, consulting parties would be sent a draft MOA. Even if there was not an MOA, consulting parties can still request some kind of mitigation.

Bill Boyd asked how closely the Advisory Council on Historic Preservation (ACHP) has been involved in process. Osadczuk said the ACHP is sent a copy of the updated 800.11 documentation if there is an adverse effect and they are asked if they would like to consult on the project. So far, on other sections, ACHP has not wished to consult. Once the MOA is signed, it is sent to ACHP and that completes the Section 106 process for that project.

Weintraut then thanked everyone for coming and concluded the meeting. She reminded consulting parties that comments are due by January 17, 2010.

Note: Details discussed in this meeting are subject to change, but are a reflection of how things stood at the close of the meeting. This meeting summary documents ongoing, internal agency deliberations. Accordingly, the information contained in this summary is considered to be pre-decisional and deliberative.